

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
WASHINGTON, DC

<h1>FSIS NOTICE</h1>	13-06	3/3/06
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**INSTRUCTIONS FOR ANTE-MORTEM INSPECTION OF HORSES AS A
VOLUNTARY REIMBURSABLE SERVICE**

NOTE: This Notice is not to be implemented until March 10, 2006.

I. PURPOSE

This notice provides instructions to inspection program personnel regarding the performance of ante-mortem inspection of horses as a voluntary, reimbursable service. The inspection activities to be performed in the ante-mortem inspection of horses have not changed.

II. BACKGROUND

Section 794 of the FY 2006 Appropriations Act states that, effective 120 days after the date of its enactment (March 10, 2006), none of the FY 2006 appropriated funds may be used to pay the salaries or expenses of the inspection program personnel that conduct ante-mortem inspection of horses.

Post-mortem inspection and other inspection activities authorized by the Federal Meat Inspection Act (FMIA) at official establishments that slaughter horses will continue to be paid for with appropriated funds, except for overtime or holiday inspection services.

**III. APPLICABLE REQUIREMENTS FOR ANTE-MORTEM INSPECTION OF
HORSES FOR OFFICIAL ESTABLISHMENTS THAT SLAUGHTER HORSES**

On February 8, 2006, FSIS published an interim final rule, Ante-Mortem Inspection of Horses. Under the interim final rule, an official establishment that wishes to slaughter horses is to apply for voluntary ante-mortem inspection according to 9 CFR 352.3. Such establishments must pay the applicable base time, overtime, and holiday rates for ante-mortem inspection in accordance with 9 CFR 352.5 and must meet all applicable

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requirements in 9 CFR 352.8 and 352.9 to receive voluntary ante-mortem inspection. Under 9 CFR 352.8, such establishments are required to notify the District Manager or designee, in advance, of the hours when ante-mortem inspection is desired and are required to provide inspection program personnel access at all times to every part of the official establishment. Under 9 CFR 352.9, official establishments that slaughter horses and request voluntary ante-mortem inspection as a reimbursable service are to complete FSIS Form 5200-6, Application/Approval for Voluntary Reimbursable Inspection Service.

FSIS can deny or withdraw ante-mortem inspection services at horse slaughter establishments for any applicable reason under 9 CFR 352.6.

All requirements in the regulations authorized by the FMIA that pertain to official establishments that slaughter horses will continue to apply.

IV. INSPECTION PROGRAM PERSONNEL INSPECTION ACTIVITIES

Inspection program personnel are to continue to conduct all inspection activities, including ante-mortem inspection, in accordance with the requirements of the FMIA and applicable Federal meat inspection regulations, including regulations pertaining to humane handling. Therefore, the official marks and devices used to identify federally-inspected and passed horse carcasses and parts of horse carcasses, and horse meat food products will continue to be those set forth in 9 CFR 312.3.

V. FEES AND CHARGES

Fees for ante-mortem inspection of horses will be charged for the time required to render the service, including travel time used in connection with providing the service. Reimbursable charges will be recorded on FSIS Form 5110-1, Services Rendered, by the FSIS employee as described in FSIS Directive 5110.1. Fees are charged and collected for ante-mortem inspection service in accordance with 9 CFR 352.5 at the rates specified in 9 CFR 391.2 and 391.3 (respectively) for base time and for overtime, including Saturdays, Sundays and holidays. A separate FSIS Form 5110-1 will be required to record the billable reimbursable services for the ante-mortem inspection of horses.

VI. RECORDING CHARGES

A new Program Code (formally Management Code) is being established for each plant requesting ante-mortem inspection of horses services. These program codes must be used for all expenses associated with the ante-mortem inspection services. Each inspector performing these services must use the new program code on their Time and Attendance (T&A) Reports, FSIS Form 5110-1, Travel Vouchers, SF-1164 (Claim for Reimbursement) for all time that they spend on ante-mortem inspection. Any other associated charges for direct use supplies in ante-mortem inspection must also

be charged to the appropriate program code. The following program codes have been established for Fiscal Year 2006:

5652K16 – Beltex – Ante-Mortem Horse Insp-T
5652k26 – Dallas Crown – Ante-Mortem Horse Insp-T
5722K16 – Cavel International – Ante-Mortem Horse Insp-T

A handwritten signature in black ink, appearing to read "Kathy S. Duff", is positioned above the title.

Assistant Administrator
Office of Policy, Program, and Employee Development